

REMARKS

By the present amendment, Claims 1, 8, and 12 have been amended and Claims 20-22 have been newly added. Claims 1-22 remain pending in the present application. Claims 1, 8, and 12 are independent claims. Applicant respectfully requests reconsideration and allowance in view of the foregoing amendments and the following remarks.

Applicant appreciates the courtesies extended to Applicant and Applicant's representative during the personal interview held March 8, 2005. The present response summarizes the substance of the interview. At the interview Applicant's representative discussed a proposed amendment. Applicant's representative presented arguments traversing the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by Fano (U.S. Patent No. US 6,317,718 B1), and the rejection of Claims 2-19 under 35 U.S.C. § 103(a) as being unpatentable over Fano in view of Lachinski et al. (U.S. Patent No. 5,633,946).

Applicant and Applicant's representative explained differences between the claim language set forth in independent Claims 1, 8 and 16 and the Fano and Lachinski et al. features and/or descriptions relied upon by the Examiner. In particular, Applicant and Applicant's representative explained how Fano, Lachinski et al., or any combination thereof nowhere taught or reasonably suggested the "single concatenated numeric geospatial data format" set forth in each of proposed independent Claims 1, 8 and 12. The Examiner agreed that Fano, Lachinski et al., or any combination thereof does not

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teach formatting geospatial data into a "single concatenated numeric format". A formal agreement as to the patentability of the claims was withheld by the Examiner pending a thorough review of the arguments and proposed amendment presented at the interview, a thorough review of this amendment, and a further update search.

Claims 1-19 are rejected under the judicially created doctrine of double patenting over the claims of U.S. Patent No. 6,681,231 B1. Applicant has filed a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321 and the appropriate filing fee with the present response. This document should serve to obviate this particular ground of rejection.

Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 1-19 under the judicially created doctrine of double patenting over claims 1-10 of U.S. Patent No. 6,681,231 B1.

Claim 1 is rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Fano. Applicant respectfully traverses this rejection.

Applicant has submitted herewith a declaration under 37 C.F.R. § 1.131 clearly establishing that the presently claimed invention was conceived and reduced to practice prior to the effective filing date of the Fano patent, thereby rendering moot the use of the Fano patent as prior art against the claimed invention. Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by Fano.

Nevertheless, Applicant has amended Claims 1, 8 and 12 to more particularly define Applicant's claimed invention in view of the prior art of record. Applicant

respectfully submits that the amendments to the claims are fully supported by the original disclosure, and introduce no new matter therewith.

Amended independent Claims 1 recites a geospatial entity object code embodied on a medium that includes a single concatenated numeric geospatial data format converted from global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information.

Amended independent Claim 8 recites acquisition means for acquiring geospatial data. The acquisition means includes encoding means for encoding geospatial data onto a data segment of a video frame at a time of geospatial data acquisition; capturing means having a geospatial receiver interconnected with a focus element at a first location, the capturing means being configured for capturing information of an entity at a second location, and geospatially referencing the second location to the first location in accordance with a focus ratio of the focus element and geospatial data associated with the geospatial receiver; and converting means for converting global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information into a single concatenated numeric geospatial data format for encoding onto a video frame at a time of media acquisition.

Amended independent Claim 12 recites a geospatial information processing method. The method provides global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information; and

converts the global positioning system coordinates into a single concatenated numeric geospatial data format.

The Examiner asserts that Fano discloses in col. 5, lines 40-55 the claimed "geospatial entity object code comprising a single concatenated numeric geospatial data format, converted from global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information", as set forth in independent claims 1, 8 and 12. Applicant respectfully submits that Fano only states in col. 5, lines 40-55 that when "the concepts of composition-relationship, encapsulation, inheritance and polymorphism, an object can represent just about anything in the real world. In fact, our logical perception of the reality is the only limit on determining the kinds of things that can become objects in object-oriented software".

It is well known that for a reference to anticipate a claim under 35 U.S.C. § 102(e) there "must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention" (see *Scripps Clinic & Research Foundation v. Genentech Inc.*, 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991)).

Applicant respectfully submits that Fano fails to anticipate a geospatial entity object code comprising a single concatenated numeric geospatial data format, converted from global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information, as Claim 1 requires.

Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by Fano.

Claims 2-19 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fano in view of Lachinski et al. Applicant respectfully traverses this rejection.

Applicant respectfully submits that the declaration under 37 C.F.R. § 1.131 filed herewith clearly establishes that the presently claimed invention was conceived and reduced to practice prior to the effective filing date of the Fano patent, thereby rendering moot the use of the Fano patent as prior art against the claimed invention.

Furthermore, Lachinski et al. describes how visual and spatial information is collected and processed for the formation of a geographic information database. The information collected and processed can be used to update the U.S. Census Bureau TIGER/Line files to improve the accuracy of the files. Information collected and processed can also be used to accurately determine the spatial position of an object seen in the collected visual information. The method includes three high speed collection and correlation of video images and spatial position information.

As such, Lachinski et al. fails to supplement the deficiencies of Fano because Fano, Lachinski et al. or any combination thereof, fails to teach or reasonably suggest, and provides no motivation whatsoever to modify the teachings thereof to provide a geospatial entity object code comprising a single concatenated numeric geospatial data format, converted from global positioning system coordinates in latitude and longitude format or decimal equivalent format and additional spatial information, as set forth in Claims 2-19.

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Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 2-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fano in view of Lachinski et al.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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